

# **EXHIBIT 4**

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

In the Matter of

CERTAIN AUDIO PLAYERS AND  
CONTROLLERS, COMPONENTS  
THEREOF, AND PRODUCTS  
CONTAINING THE SAME

Inv. No. 337-TA-1191

**ORDER NO. 5: SETTING THE PROCEDURAL SCHEDULE**

(March 26, 2020)

On March 24, 2020, Complainant Sonos, Inc., Respondents Google LLC and Alphabet Inc., and the Commission Investigative Staff submitted their joint proposal for a procedural schedule. Based on a review of the parties' submission, the undersigned hereby adopts the following procedural schedule:

<u>Event</u>	<u>Deadline Date</u>
File identification of expert witnesses	April 24, 2020
Initial deadline for responses to contention interrogatories on issues for which the responding party bears the burden of proof	April 29, 2020
Exchange initial list of claim terms to be construed	May 4, 2020
Exchange of proposed claim constructions – Complainant and Respondents	May 8, 2020
First settlement conference	May 11, 2020
Exchange of proposed claim constructions – Staff	May 12, 2020
Submission of first settlement conference joint report	May 18, 2020

<u>Event</u>	<u>Deadline Date</u>
Exchange of initial expert reports on claim construction issues	May 18, 2020
Exchange of rebuttal expert reports on claim construction issues	June 1, 2020
Initial deadline for responses to contention interrogatories on issues for which the responding party does not bear the burden of proof	June 5, 2020
Meet and confer to discuss and limit number of disputed claim terms	June 8, 2020
Initial <i>Markman</i> briefs – Complainant and Respondents	June 22, 2020
Initial <i>Markman</i> briefs – Staff	June 30, 2020
Rebuttal <i>Markman</i> briefs – all parties	July 6, 2020
Submission of joint proposed claim construction chart	July 9, 2020
File notice of prior art	July 10, 2020
Joint tutorial and <i>Markman</i> hearing	July 20, 2020
Submission of updated joint proposed claim construction chart	July 27, 2020
Issuance of <i>Markman</i> order	TBD
Attendance at one-day mediation session	August 3, 2020
Submission of joint report on mediation	August 10, 2020
Cut-off date for supplements to contention interrogatories on issues for which the responding party bears the burden of proof	August 21, 2020
Cut-off date for supplements to contention interrogatories on issues for which the responding party does not bear the burden of proof	September 11, 2020
Fact discovery cut-off and completion	September 18, 2020
Deadlines for motions to compel fact discovery	September 25, 2020
Exchange of initial expert reports (identify tests/surveys/data)	October 9, 2020

<u>Event</u>	<u>Deadline Date</u>
File tentative lists of witnesses a party will call to testify at the hearing, with an identification of each witness' relationship to the party	October 16, 2020
Exchange of rebuttal expert reports	October 30, 2020
Expert discovery cut-off and completion	November 20, 2020
Exchange of exhibit lists among the parties	November 24, 2020
Deadline for motions to compel expert discovery	November 30, 2020
Deadline for filing motions for summary determination	December 4, 2020
Submit and serve direct exhibits (including witness statements), with physical exhibits available – Complainant and Respondents	December 11, 2020
Submit and serve direct exhibits (including witness statements), with physical exhibits available – Staff	December 16, 2020
File objections to direct exhibits (including witness statements) <sup>1</sup>	N/A
File responses to objections to direct exhibits (including witness statements)	N/A
Second settlement conference	December 18, 2020
Submission of second settlement conference joint report	December 23, 2020
Submit and serve rebuttal exhibits (including witness statements), with rebuttal physical exhibits available – all parties	January 8, 2021
File objections to rebuttal exhibits (including witness statements)	N/A
File responses to objections to rebuttal exhibits (including witness statements)	N/A
File pre-trial statements and briefs – Complainant and Respondents	January 22, 2021

<sup>1</sup> The parties have agreed to forego the requirement that written objections and written responses to written objections to direct and rebuttal exhibits be filed.

<u>Event</u>	<u>Deadline Date</u>
File requests for receipt of evidence without a sponsoring witness	February 1, 2021
File pre-trial statement and brief – Staff	February 2, 2021
Deadline to file motions <i>in limine</i>	February 5, 2021
File high priority objections statement	February 5, 2021
File responses to requests for receipt of evidence without a sponsoring witness	February 12, 2021
File responses to motions <i>in limine</i>	February 12, 2021
File responses to high priority objections statements	February 12, 2021
Pre-trial conference	February 22, 2021
Hearing	February 22–26, 2021
File initial post-trial briefs and final exhibit lists	March 12, 2021
File reply post-trial briefs	March 19, 2021
Initial Determination	May 11, 2021
Target date for completion of investigation	September 13, 2021

For the dates set forth above that require a submission or filing, the date set forth is the date that the submission or filing must be at or filed at the Commission (by the close of business) and is not the date that such submission or filing is merely served.

**SO ORDERED.**



Charles E. Bullock  
Chief Administrative Law Judge

**CERTAIN AUDIO PLAYERS AND CONTROLLERS,  
COMPONENTS THEREOF, AND PRODUCTS CONTAINING  
SAME**

**Inv. No. 337-TA-1191**

**PUBLIC CERTIFICATE OF SERVICE**

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served via EDIS upon the Commission Investigative Attorney, **Cortney Hoecherl, Esq.**, and the following parties as indicated, on March 26, 2020.



Lisa R. Barton, Secretary  
U.S. International Trade Commission  
500 E Street, SW, Room 112  
Washington, DC 20436

**On Behalf of Complainant Sonos, Inc.:**

Jordan L. Coyle, Esq.  
**ORRICK, HERRINGTON, & SUTCLIFF LLP**  
Columbia Center  
1152 15<sup>th</sup> Street, NW  
Washington, DC 20005  
Email: jcoyle@orrick.com

- Via Hand Delivery
- Via Express Delivery
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- Other: Email Notification of Availability for Download

**On Behalf of Respondents Google LLC and Alphabet Inc.:**

S. Alex Lasher, Esq.  
**QUINN EMANUEL URQUHART & SULLIVAN, LLP**  
1300 I Street NW, Suite 900  
Washington, DC 20005  
Email: alexlasher@quinnmanuel.com

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